

REMARKS

Applicants filed a Request for Continued Examination on February 28, 2006, requesting the previously submitted amendment and remarks after the Final Office Action ("After Final"), filed January 30, 2006, be considered. The Advisory Action of February 6, 2006 has been received and its contents carefully analyzed in view of the Final Office Action of October 31, 2005. Claims 1-6 and 41-44 remain pending in the application, of which claims 1 and 41 are independent claims. Claims 1 and 41 have been amended. Applicants respectfully submit that the above amendments do not add new matter to the application and are fully supported by the specification.

Applicants respectfully request consideration of the present Amendments and Remarks in view of the After Final amendments and remarks. Accordingly, Applicants request reconsideration and timely withdrawal of the pending rejections for the reasons discussed below.

Rejections Under 35 U.S.C. § 102

Claims 1, 3, 41, and 43 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U. S. Patent No. 6,013,383 issued to Shi, *et al.* ("Shi"). Applicants respectfully traverse this rejection for at least the following reasons.

In order for a rejection under 35 U.S.C. §102 to be proper, a single reference must disclose each and every claimed feature. To be patentable, a claim need only recite a single novel features that is not disclosed in the cited reference. Thus, the failure of a cited reference to disclose one or more claimed features renders the 35 U.S.C. §102 rejection improper.

Claim 1, as currently amended, recites:

"An electroluminescent device, comprising: said organic layer containing a compound represented with the chemical formula C1, alone or in

combination...wherein any two of R¹ to R⁴ except said diaryl amino group and R⁵ to R¹² form a ring.”

and

Claim 41, as currently amended, recites:

“An organic layer for an electroluminescent device, said organic layer, comprising: a compound represented with the chemical formula C1, alone or in combination...wherein any two of R¹ to R⁴ except said diaryl amino group and R⁵ to R¹² form a ring.”

Shi fails to teach each and every claimed feature of independent claims 1 and 41, more particularly, Shi fails to teach the chemical formula C1 wherein any two of R¹ to R⁴, except said diaryl amino group, and R⁵ to R¹² form a ring. The Examiner highlights the formulae (VI) and (VII) in column 6; see Specification, col. 6, lines 1-61; col. 7, lines 1-10; and claims 15, 16, 23, and 24. With respect to the patent as a whole, and in particular to the aforementioned formulae, specification language, and claims, Shi fails to teach each and every claimed feature of independent claims 1 and 41, as currently amended. Claims 3 and 43 depend from independent claims 1 and 41, and therefore are patentable for at least the aforementioned reasons.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 102(e) rejection of claims 1, 3, 41, and 43. Since none of the other prior art of record discloses or suggests all the features of the claimed invention, Applicants respectfully submit that independent claims 1 and 41, and claims 3 and 43 that depend therefrom, are allowable.

Rejections Under 35 U.S.C. § 103

In order to render a claim obvious, the combination of cited references must teach each and every element of the claimed invention and must provide teaching, motivation, or suggestion to combine. Nat'l Steel Car, Ltd. v. Canadian Pac. Rwy., 357 F.3d 1319, 1337 (Fed.

Cir. 2004) (citing Ecolchem, Inc. v. S. Cal. Edison Co., 227 F.3d 1361, 1371 (Fed. Cir. 2000)).

This motivation must be based on the knowledge in the art, not knowledge provided by the application under examination, because such hindsight reconstruction is forbidden. In re Fine, 837 F.2d 1071, 1075 (Fed. Cir. 1988).

Shi, et. al. (U.S. Patent No. 6,013,383)

Claims 2, 4-6, 42, and 44 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U. S. Patent No. 6,013,383 issued to Shi, *et al.* ("Shi"). Applicants respectfully traverse this rejection for at least the following reasons.

As noted above, Shi fails to teach or suggest each and every claimed feature of independent claims 1 and 41. Claims 2, 4-6, 42, and 44 depend from independent claims 1 and 41 and are patentable for at least the reasons discussed above.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 2, 4-6, 42, and 44. Since none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicants respectfully submit that claims 2, 4-6, 42, and 44 are allowable.

Toshio, et. al. (Japanese Patent No. 9-268284)

Claims 1-6 and 41-44 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Japanese Patent No. 9-268284, issued to Toshio, *et. al.* ("Toshio").

Applicants respectfully traverse this rejection for at least the following reasons.

Claim 1, as currently amended, recites:

"An electroluminescent device, comprising: said organic layer containing a compound represented with the chemical formula C1, alone or in combination...wherein any two of R¹ to R⁴ except said diaryl amino group and R⁵ to R¹² form a ring."

and

Claim 41, as currently amended, recites:

"An organic layer for an electroluminescent device, said organic layer, comprising: a compound represented with the chemical formula C1, alone or in combination... wherein any two of R¹ to R⁴ except said diaryl amino group and R⁵ to R¹² form a ring."

Toshio fails to teach each and every claimed feature of independent claims 1 and 41, more particularly, Shi fails to teach the chemical formula C1 wherein any two of R¹ to R⁴, except said diaryl amino group, and R⁵ to R¹² form a ring. Claims 2-6 and 42-44 depend from independent claims 1 and 41, and therefore are patentable for at least the aforementioned reasons.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 1-6 and 41-44. Since none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicants respectfully submit that independent claims 1 and 41, and claims 2-6 and 42-44 that depend therefrom, are allowable.


CONCLUSIONS

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,


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